

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	<u>FILED UNDER SEAL</u>
)	
)	No. 2:19-00013
v.)	
)	Chief Judge Waverly D. Crenshaw, Jr.
)	Magistrate Judge Alistair E. Newbern
)	
GEORGIANNA A.M. GIAMPIETRO)	

DEFENSE MOTION FOR MISSING DOCUMENTS

The Defendant, through her attorney, Charles D. Swift, requests to have the Court direct the Clerk's Office to provide to counsel the documents we are missing, detailed below, and are thus far unable to obtain in the above matter.

On October 22, 2019, my office was in contact with the Clerk's Office, and we indicated we were missing several documents in this case. We were instructed to contact the Law Office Peter Strainse to obtain any documents he had that we were missing, and to file a motion if we still needed any additional documents. On the same day, October 22, 2019, we sent an email to Mr. Strainse's office requesting the documents we apparently did not have which may be in their possession. On October 28, we were provided 8 of the 27 documents we appeared to be missing.

We are still missing the following documents (Docket Entries): 1, 2, 4-11, 14, 15, 18, 19, 22, 24, 40, 42 and 51. We acknowledge there may be documents filed *ex parte* for which we are not entitled, however, we do not know if this is the case, nor do we know what we may be missing at this point, as we cannot look on Pacer to get a sense of what we are missing and what

we may need. We are requesting the Court direct the Clerk's Office to provide us with the above documents we are missing to which we may be entitled.

I have consulted with AUSA on this matter, and they do not object to the production of missing documents with the exception of any *ex parte* filings by the government.

Respectfully submitted,

/s/ Charles D. Swift

CHARLES D. SWIFT

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Dated: November 1, 2019

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2019, a copy of this motion was served via email to Assistant United States Attorney, Ben Schrader, Assistant United States Attorney, Phil Wehby and NSD Attorney Jennifer Levy.

/s/ Charles D. Swift

CHARLES D. SWIFT

Pro Hac Attorney for Georgianna
Giampietro